

that it had been shipped on or about November 7, 1941, by the Norwich Pharmacal Co. from Norwich, N. Y.; and charging that it was misbranded.

Analysis of a sample of the article showed that the tablets each contained acetanilid (1 grain), a coal-tar analgesic drug, podophyllin, aloin, and other drugs of plant origin including quinine, camphor, and cayenne pepper.

The article was alleged to be misbranded: (1) In that the labeling did not bear such adequate warnings against unsafe duration of administration as are necessary for the protection of users, since it failed to warn the consumer that frequent or continued use might be dangerous, causing serious blood disturbances, anemia, collapse, or dependence on the drug, and that it should be discontinued if skin rash appears. (2) In that statements in the labeling representing that it would affect the underlying cause of the common cold, prevent its full development, and shorten its duration were false and misleading, since its therapeutic efficacy was limited to that of an analgesic and laxative which might temporarily ameliorate some of the symptoms of the common cold, but not those of feverishness, tickling throat sensations, and running of the nose.

On April 1, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

668. Adulteration and misbranding of Pinee. U. S. v. 90 Bottles of Pinee. Default decree of condemnation and destruction. (F. D. C. No. 6549. Sample No. 59472-E.)

In addition to containing smaller proportions of acetanilid and alcohol than those stated on the label, this product failed to bear on its label adequate directions for use and warning statements. The label also contained false and misleading therapeutic claims; and the statements of the active ingredients and quantity of contents and directions for use were in type so small as to be illegible.

On December 19, 1941, the United States attorney for the Eastern District of Virginia filed a libel against the above-named product at Emporia, Va., alleging that it had been shipped on or about October 1, 1941, by the Pinee Chemical Co. from Kinston, N. C.; and charging that it was adulterated and misbranded.

Analysis of a sample of the article showed that it consisted essentially of acetanilid (not more than 3.6 grains per fluid ounce), alcohol (not more than 10.9 percent), small amounts of menthol, camphor, laxative plant drugs, ammonia, ammonium chloride, licorice, and a trace of alkaloids.

The article was alleged to be adulterated in that its strength differed from that which it was represented to possess, namely, "Acetanilid 6 grs to oz Maximum Alcohol 20 per cent."

It was alleged to be misbranded: (1) In that the labeling did not bear adequate directions for use since those appearing on the label provided for continuous administration and such directions were inadequate for a laxative since when taken in such manner it might create a dependence on laxatives. (2) In that the labeling did not bear adequate warnings against use in those pathological conditions or by children where its use might be dangerous to health, or against unsafe dosage or duration of administration in such manner and form as are necessary for the protection of users since the labeling failed to warn that frequent or continued use might result in dependence on laxatives. (3) In that the following statements appearing in the labeling, together with the design of pine trees and pine cones on the bottle label, (carton) "Pinee For Colds," and (bottle label) "Pinee Colds * * * Very effective In Treatment of Head & Chest Colds * * * Contents Acetanilid 6 Grs to oz Maximum Alcohol 20 per cent," were false and misleading since the article contained no ingredient or combination of ingredients capable of preventing or curing either head or chest colds or of alleviating the common symptoms characteristic of colds, and it contained no materials derived from pine trees or pine cones, as implied by the designs on the label. (4) In that the required statements of the active ingredients, of the quantity of contents, and the directions for use did not appear on the label with such prominence or conspicuousness as to render them likely to be read or understood by the ordinary individual under customary conditions of purchase and use, since they appeared in type so small as to be illegible.

On February 18, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

669. Misbranding of Special Formula Tablets. U. S. v. 47,800 Special Formula Tablets, Plain. Default decree of condemnation and destruction. (F. D. C. No. 6301. Sample Nos. 87220-E, 87221-E.)

This product consisted of tablets containing boric acid and an effervescent mixture of soda and citric acid. Its use might produce deleterious effects and its